

## **REMARKS**

The Office Action dated December 13, 2005, has been received and carefully noted. The Applicant respectfully requests reconsideration of the application in view of the foregoing remarks.

By the foregoing amendment, no claims are amended. Thus, claims 84-92, 104, 113-135, and 144-205 are currently pending in the application and are subject to examination.

### **Nonstatutory Double Patenting**

Claims 84-92, 104, 113-135, and 144-205 are rejected on the grounds of nonstatutory obviousness-type double patenting over claims 5-31 of Nakamura (U.S. Patent No. 6,659,397, hereinafter "Nakamura '397").

The Applicant submits herewith a Terminal Disclaimer to overcome the obviousness-type double patenting rejection based on Nakamura '397. The Applicant respectfully submits that the filing of said Terminal Disclaimer is not an admission by the Applicant of the propriety of the rejection. Given the above, the Applicant respectfully requests that the obviousness-type double patenting rejection based on claims 5-31 of Nakamura '397 be withdrawn, and further requests that claims 84-92, 104, 113-135, and 144-205 be allowed.

### **Conclusion**

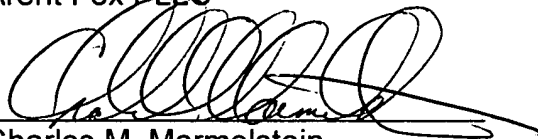
The Applicant respectfully submits that this application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the

Examiner is invited to contact the Applicant's undersigned representative at the telephone number listed below to schedule a personal or telephone interview to discuss any remaining issues.

In the event that this paper is not considered to be timely filed, an appropriate extension of time is requested. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account Number 01-2300, referencing Docket Number 024018-00002.

Respectfully submitted,

Arent Fox PLLC

A handwritten signature in black ink, appearing to read 'Charles M. Marmelstein', written over a horizontal line.

Charles M. Marmelstein  
Attorney for the Applicant  
Registration Number 25,895

Customer Number 004372  
ARENT FOX PLLC  
1050 Connecticut Avenue, NW  
Suite 400  
Washington, DC 20036-5339  
Telephone: 202-857-6000  
Fax: 202-638-4810

CMM/SCO:vmh

Enclosure: Terminal Disclaimer